

Norman C. Kleinberg  
Theodore V. H. Mayer  
William J. Beausoleil  
HUGHES HUBBARD & REED LLP  
One Battery Park Plaza  
New York, New York 10004-1482  
(212) 837-6000

Paul F. Strain  
M. King Hill, III  
David J. Heubeck  
VENABLE LLP  
Two Hopkins Plaza, Suite 1800  
Baltimore, Maryland 21201  
(410) 244-7400

*Attorneys for Defendant Merck & Co., Inc.*

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
IN RE: :  
Fosamax Products Liability Litigation : 1:06-md-1789 (JFK)  
:

-----X  
*This Document Relates to:* : **NOTICE OF APPEARANCE**  
Paul E. Swain, III, individually, :  
as next of kin of and as representative :  
of the Estate of Priscilla M. Swain, :  
deceased :  
v. Merck & Co., Inc. :  
:  
Case No: 1:08-cv-1940-JFK :  
-----X

PLEASE TAKE NOTICE that Paul F. Strain hereby enters his appearance as counsel of record in the above referenced causes of action. All inquiries, pleadings and court documents should be filed and served upon the undersigned.

Dated: April 28, 2008  
New York, New York

Respectfully submitted,

By: \_\_\_\_\_/s/  
Paul F. Strain

Venable LLP  
Two Hopkins Plaza  
1800 Mercantile Bank & Trust Bldg  
Baltimore, MD 21201  
(410)-244-7717  
Fax: (410)-244-7742  
Email: pfstrain@venable.com

**CERTIFICATE OF SERVICE**

I hereby certify that on April 28, 2008, the foregoing NOTICE OF APPEARANCE was filed electronically and served electronically, pursuant to the Court's Case Management Order, via the Court's CM/ECF system.

\_\_\_\_\_/s/  
Paul F. Strain

Venable LLP  
Two Hopkins Plaza  
1800 Mercantile Bank & Trust Bldg  
Baltimore, MD 21201  
(410)-244-7717  
Fax: (410)-244-7742  
Email: pfstrain@venable.com